



Reply To  
Attn Of: HW-113

William J. Kabbert II  
Law Department  
U. S. Steel  
600 Grant Street  
Pittsburgh, PA 15219-2749

JUL 6 1992

Re: Freedom of Information Act (FOIA)  
Request No. 10-RIN-849-92

Dear Mr. Kabbert:

This letter is in response to your above-referenced FOIA request dated June 11, 1992, for copies of documents from the Colbert Landfill Superfund site files. Enclosed is a copy of the Consent Decree with enclosures which include the Request for Funding Preauthorization and the EPA Decision Document requesting Preauthorization of a CERCLA Section 111(c) claim. Pursuant to Exemption 5 of FOIA, 5 U.S.C. Section 552 (b)(5), which protects inter-agency and intra-agency documents from disclosure, EPA is withholding any internal memorandums, letters and notes regarding mixed funding at the site.

You may appeal this partial denial by addressing, within 30 days of your receipt of this letter, your written appeal to the Freedom of Information Office (A-101), U.S. Environmental Protection Agency, 401 M Street, S.W., Washington, D.C., 20410. Your appeal should include the RIN number listed above, the title of this document, and the name, title, and address of the person directing issuance of this partial denial.

The cost of providing this information is \$46.70 (89 pages at \$.15 per side, and \$20.00 for one hour search time at \$10.00 per half hour). A bill is enclosed.

This concludes the U.S. Environmental Protection Agency Region 10 response to FOIA request number 10-RIN-849-92.

Sincerely,

*Randall F. Smith*  
Randall F. Smith, Director  
Hazardous Waste Division

Enclosures

USEPA SF



1414279

This concludes the U.S. Environmental Protection Agency  
Region 10 response to FOIA request number 10-RIN-849-92.

Sincerely,

*/s/ Smith*

Randall F. Smith, Director  
Hazardous Waste Division

Enclosures

bcc: Mackey, ORC

INITIAL	CONCURRENCES									
SURNAME	Thompson	Mackey	Rushin	Millam	Cynw					
DATE	7/2	7/2	7/2	7/2	6/24/02					



U. S. Steel  
600 Grant Street  
Pittsburgh, PA 15219-2749

Fax: 412 433 2811

Law Department

VIA AIRBORNE

June 11, 1992

10-RIN-849-92

Freedom of Information Officer  
U.S. Environmental Protection Agency  
Region X  
1200 6th Avenue  
Seattle, WA 98101

Re: Colbert Landfill, Spokane, Washington

Dear Sirs:

This letter is a request pursuant to the Freedom of Information Act, 5 U.S.C. §552, 40 C.F.R. Part II and any other statutes, rules or regulations entitling the undersigned to the information requested.

I understand that a written response will be made to me within ten (10) days. So that Agency personnel do not have to spend unnecessary time searching for material, if any of the descriptions below require interpretation, please call me immediately and I will be happy to attempt to be more specific or provide any other help that I can. Also, if certain items require a search which can lead to a delay in response, please do not wait to find these, but send that material which has been located and notify me which documents will be delayed.

If any of the material requested has been published in the Federal Register, it is acceptable to respond by giving the appropriate date and page citation to the Federal Register.

The materials requested relate to the hazardous waste disposal facility known as the Colbert Landfill, Spokane, Washington.

Freedom of Information Officer  
June 11, 1992  
Page 2

Please send me copies of all of the following documents, records or other information in the possession and control of the United States (collectively referred to as "documents") which refer or relate to the Colbert Landfill, Spokane, Washington ("Site"):

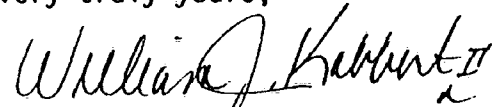
1. The initial mixed funding proposal(s) submitted by the Settling Parties to U.S. EPA pertaining to this Site.
2. If no proposal(s) submitted, all documents that discuss the Settling Parties request for mixed funding at the Site.
3. Any and all documents which refer or relate to any judicial proceedings that discuss or had an impact on the approval of mixed funding for this Site.
4. Any and all documents which relate to negotiation(s) between U.S. EPA and the Settling Parties regarding mixed funding at the Site including but not limited to meeting notes, internal memoranda, and other memorialized deliberations within, between or among U.S. EPA, U.S. Department of Justice and the Settling Parties.
5. Any and all documents referred to or attached to the Administrative Order by Consent between U.S. EPA and the Settling Parties including but not limited to the Preauthorization Decision Document ("PDD") and the Joint Application for Preauthorization.

USX will pay all reasonable costs incurred in complying with the foregoing requests which are due to the United States Government pursuant to 40 C.F.R. §2.120.

Freedom of Information Officer  
June 11, 1992  
Page 3

It is requested that U.S. EPA respond to USX within the regulatorily required time period. Please do not hesitate to contact me at (412) 433-2855 if you have any questions.

Very truly yours,

A handwritten signature in dark ink, appearing to read "William J. Kabbert II". The signature is fluid and cursive, with a small mark at the end.

William J. Kabbert II  
Attorney - Environmental

WJK/dmk